

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 97-055-C - ORDER NO. 97-571
JULY 3, 1997

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|--------------------------|---|------------|
| IN RE: Larry Davis, |) | ORDER |
| |) | DISMISSING |
| Complainant, |) | COMPLAINT |
| |) | |
| vs. |) | |
| |) | |
| Sprint-United Telephone, |) | |
| |) | |
| Respondent. |) | |
| |) | |
| |) | |

This matter comes before the Public Service Commission of South Carolina (the Commission) on the complaint of Larry Davis (Davis) against United Telephone Company of the Carolinas (Sprint).

A hearing was held on this matter on June 25, 1997 at 10:30 a.m., with the Honorable Guy Butler, presiding. Larry Davis appeared pro se. Richard L. Whitt, Esquire, represented Sprint. Sprint presented the testimony of Don Horton. The Commission Staff (the Staff) was represented by F. David Butler, General Counsel. The Staff presented no witnesses.

Mr. Davis' complaint was two-fold. First, Mr. Davis complained that a recording received by consumers was deceptive, in that the message was designed to mislead a customer who was dialing an intraLATA long distance call into thinking that they

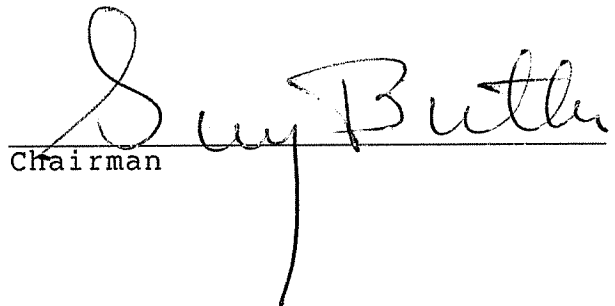
made an error. Second, Davis feels that he should not have to use a 10XXX code when attempting to use Excel as his in-region carrier. It should be noted that Sprint has established a Region Call system in Mr. Davis' area which extends what was local service into a greater area.

We note that the offending message complained of by Mr. Davis has now been modified. Further, we do not see the harm in Mr. Davis having to dial 10XXX to elect Excel as his carrier for intraLATA calls. We also note that the Region Call is considered to be local service, and we do not think that Mr. Davis' complaint is valid in terms of his stating that he does not have a choice for his intraLATA calls. Davis does have the choice; he simply must dial 10XXX.

Because of the above stated reasoning, we believe that the complaint of Larry Davis should be dismissed.

This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:


Chairman

ATTEST:


Deputy Executive Director

(SEAL)